

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	CRIMINAL ACTION NO.
MICHAEL ROBATEAU,)	04-10382-NG
)	
Defendant.)	

JOINT FINAL STATUS CONFERENCE MEMORANDUM

The parties submit herewith a Joint Final Status Conference Memorandum in the above-captioned matter:

1 and 2. At this time, the parties do not believe that there are outstanding discovery issues which will require resolution by the Court. However, the government anticipates receiving in the very near future from the Boston Police Department's Latent Print Unit a report on the results, if any, of examining for fingerprints the handgun involved in this case and the container in which it was delivered.

3. The defendant does not intend to raise a defense of insanity or public authority.

4. The government has requested notice of alibi by the defendant and the government understands that the defendant does not intend to offer an alibi defense since he has not responded to the government's September 7, 2006 request.

5. The defendant has not filed and does not intend to file any motion to sever, dismiss, or suppress, or any other motion requiring a ruling by the District Court prior to trial.

6. The parties jointly request that the Court schedule this matter for a further Final Status Conference in January, 2007, in order to allow the government to provide to the defendant the results of the fingerprint examination alluded to above and to allow the defendant a short amount of additional time to evaluate how, if at all, those results affect the potential for a resolution of this matter short of a trial.

7. The parties have discussed the potential for an early resolution of the case without trial and report that such a resolution remains a possibility.

8. The parties agree that the Court has properly excluded for purposes of the Speedy Trial Act the period of time from August 22, 2006 through December 12, 2006. The parties jointly move that the Court exclude for purposes of the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(8)(A) the period from December 12, 2006 until the date set by the Court for a further Final Status Conference insofar as the ends of justice served by allowing the defendant time to determine if he should enter a change of plea rather than proceed to trial outweigh the best interest of the public and the defendant in a speedy trial.

9. A trial of this matter would take approximately three or

four days.

Respectfully submitted,

MICHAEL ROBATEAU
By His Attorney

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Dated: December 12, 2006